



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

SUBDIVISION REVIEW BOARD

*Promoting the wise use of land
Helping build great communities*

MEETING DATE October 21, 2005	CONTACT/PHONE Josh LeBombard	APPLICANT Carmen and Isaac Leyva	FILE NO. COAL COAL04-631 SUB2004-00201
SUBJECT Request by Carmen and Isaac Leyva for a Lot Line Adjustment to adjust the lot lines between two parcels of 31.37 and 837.29 acres each. The adjustment will result in two parcels of 31.37 and 837.29 acres each. The project will not result in the creation of any additional parcels. The proposed project is within the Agriculture land use category and is located at 3770 Santa Domingo Road approximately three miles northeast of the community of Arroyo Grande. The site is in the Huasna Lopez planning area.			
RECOMMENDED ACTION Approve Lot Line Adjustment COAL COAL04-201 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION A Class 5 Categorical Exemption was issued on September 27, 2005.			
LAND USE CATEGORY Agriculture	COMBINING DESIGNATION Geologic Study Area	ASSESSOR PARCEL NUMBER 048-171-010 and 047-031-003	SUPERVISOR DISTRICT(S) 4
PLANNING AREA STANDARDS: None			
LAND USE ORDINANCE STANDARDS: None			
EXISTING USES: Undeveloped			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North: Agricultural ; residential</i> <i>East: Agricultural ; residential</i> <i>South: Agricultural ; residential</i> <i>West: Agricultural ; residential</i>			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Environmental Health, Ag Commissioner, County Parks, CDF	
TOPOGRAPHY: Moderately sloping to steeply sloping	VEGETATION: Grassland
PROPOSED SERVICES: Water supply: Well Sewage Disposal: Individual septic system Fire Protection: CDF	ACCEPTANCE DATE: September 27, 2005

ORDINANCE COMPLIANCE:

The applicant is proposing to adjust the lot lines between two legal parcels as follows:

EXISTING LOT SIZES (ACRES)	ADJUSTED PARCEL SIZES (ACRES)
31.37	31.37
837.29	837.29

Section 21.02.030 of the Real Property Division Ordinance states that a lot line adjustment shall not be approved or conditionally approved unless the new parcels resulting from the adjustment will maintain a position which is better than, or equal to, the existing situation relative to the county's zoning and building ordinances.

The adjustment will result in the reconfiguration of the two parcels to configure the parcels to provide a more suitable building site for the smaller parcel (APN 048-171-010). Development of the parcels with the current parcel configuration would result in major grading due to slope constraints. The proposed configuration will allow for development of a single-family in an area that minimizes environmental impacts.

SB 497

As of January 1, 2002, lot line adjustments are limited to four or fewer existing adjoining parcels. In addition, the new parcels must comply not only with zoning and building regulations, but also with the general plan and any applicable coastal plan. The County's local ordinance allows a determination to be made that the proposed situation is equal to or better than the existing situation. Because the parcel size of one of the two parcels is below minimum parcel size as set through the General Plan and will remain so after the adjustment, and the other parcel is consistent with the minimum parcel size as set forth in the General Plan, staff has concluded that the adjustment is consistent with both state and local law.

LEGAL LOT STATUS:

The two lots were legally created a recorded map at a time when that was a legal method of creating lots.

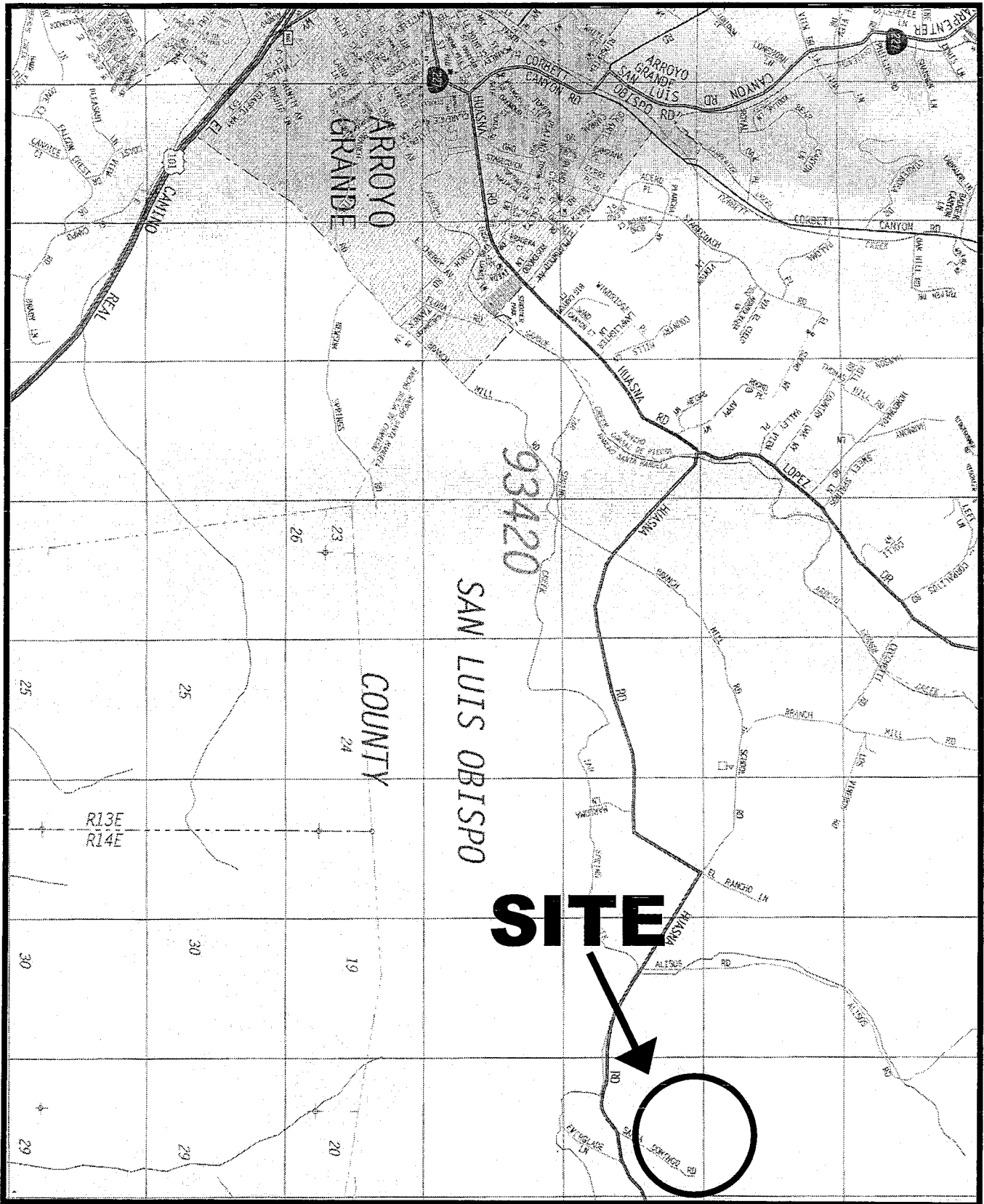
Staff report was prepared by Josh LeBombard and reviewed by Kami Griffin, Supervising Planner.

FINDINGS - EXHIBIT A

- A. The proposed Lot Line Adjustment is consistent with the provisions of Section 21.02.030 of the Real Property Division Ordinance because both properties will remain the same size after the adjustment.
- B. The proposal will have no adverse effect on adjoining properties, roadways, public improvements, or utilities.
- C. Compliance with the attached conditions will bring the proposed adjustment into conformance with the Subdivision Map Act and Section 21.02.030 of the Real Property Division Ordinance.
- D. The project qualifies for a Categorical Exemption (Class 5) pursuant to CEQA Guidelines Section 15303 because it has been determined that there will not be a significant effect to the environment as a result of this project.

CONDITIONS - EXHIBIT B

1. This adjustment may be effectuated by recordation of a parcel map or recordation of certificates of compliance. If a map is filed, it shall show:
 - a. All public utility easements.
 - b. All approved street names.
2. Any private easements described in the title report must be shown on the map, with recording data.
3. When the map is submitted for checking, or when the certificate of compliance is filed for review, provide a preliminary title report to the County Engineer or the Planning Director for review.
4. All conditions of approval herein specified are to be complied with prior to the recordation of the map or certificates of compliance which effectuate the adjustment. Recordation of a map is at the option of the applicant. However, if a map is not filed, recordation of a certificate of compliance is mandatory.
5. The map or certificates of compliance shall be filed with the County Recorder prior to transfer of the adjusted portions of the property or the conveyance of the new parcels.
6. In order to consummate the adjustment of the lot lines to the new configuration when there is multiple ownerships involved, it is required that the parties involved quitclaim their interest in one another new parcels. Any deeds of trust involving the parcels must also be adjusted by recording new trust deeds concurrently with the map or certificates of compliance.
7. If the lot line adjustment is finalized using certificates of compliance, prior to final approval the applicant shall prepay all current and delinquent real property taxes and assessments collected as real property taxes when due prior to final approval.
8. The lot line adjustment will expire two years (24 months) from the date of the approval, unless the map or certificates of compliance effectuating the adjustment is recorded first. Adjustments may be granted a single one-year extension of time. The applicant must submit a written request with appropriate fees to the Planning Department prior to the expiration date.
9. All timeframes on completion of lot line adjustments are measured from the date the Review Authority approves the lot line adjustment map, not from any date of possible reconsideration action



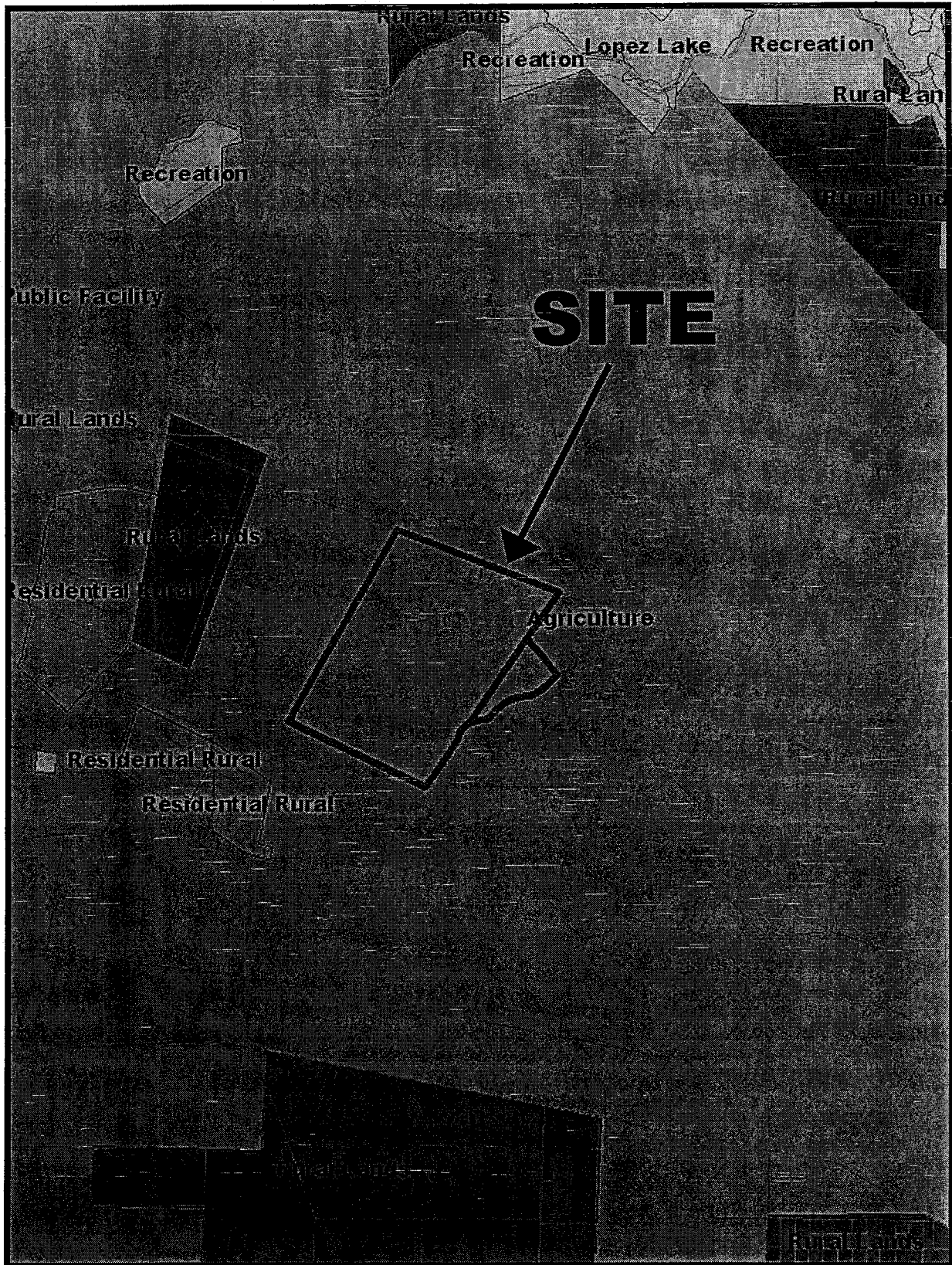
PROJECT

Lot Line Adjustment
Leyva; SUB2004-00201



EXHIBIT

Vicinity Map



PROJECT

Lot Line Adjustment
Leyva; SUB2004-00201



EXHIBIT

Land Use Category

PROJECT

Lot Line Adjustment
Leyva; SUB2004-00201



EXHIBIT

Site Plan

